

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Antoine McKay

Docket No. 277907

LC No. 03-008753

Michael J. Talbot  
Presiding Judge

E. Thomas Fitzgerald

Michael R. Smolenski  
Judges

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The Court orders that the motion to waive fees is GRANTED for this case only.

The motion to remand for an evidentiary hearing pursuant to *People v Ginther* 390 Mich 436; 212 NW2d 922 (1973) is DENIED.

The motion to remand for an evidentiary hearing pursuant to *Brady v Maryland*, 373 US 83; 83 S Ct 1194; 10 L Ed 2d 215 (1963) and *People v Pearson*, 404 Mich 698; 273 NW2d 856 (1973) is DENIED.

The delayed application for leave to appeal is DENIED for failure to meet the burden of establishing entitlement to relief under MCR 6.508(D).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 23 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk